

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

v. :

Civil Action No.: 1-12-cv-00033

LIFE PARTNERS HOLDINGS, INC., BRIAN
PARDO, R. SCOTT PEDEN, AND
DAVID M. MARTIN,

Defendants. :

**DEFENDANTS' JOINT OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO
MAKE IN CAMERA SUBMISSION OF SUPPLEMENTAL INFORMATION**

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**ATTORNEYS FOR DEFENDANTS, LIFE
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SCOTT PEDEN**

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Defendants, Life Partners Holdings, Inc. ("LPHI"), R. Scott Peden ("Peden"), Brian Pardo ("Pardo"), and David M. Martin ("Martin") (collectively "Defendants") file this Joint Opposition to Plaintiff's Motion for Leave to Make In Camera Submission of Supplemental Information in Support of Plaintiff's Response in Opposition of Defendants' Motion for Sanctions, and respectfully show as follows:

Although briefing on Defendants' Motion for Sanctions is complete, Plaintiff now seeks leave to file certain documents *in camera* with the Court, without providing Defendants with an opportunity to address the relevance of such documents to Defendants' Motion. Defendants will be unfairly prejudiced if Plaintiff is allowed, after briefing has been completed, to file additional documents supporting its Opposition without Defendants being given the opportunity to respond.

To the extent the Court grants Plaintiff leave to present documents to the Court for *in camera* review, Defendants request the opportunity to file a two-paragraph Surreply to very briefly address the impact, if any, such documents have on the issues raised in Defendants'

Motion for Sanctions. Defendants would also file such Surreply *in camera* as necessary and appropriate to protect the confidentiality of the documents Plaintiff seeks leave to submit.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that Plaintiff's Motion be denied or, alternatively, that Defendants be granted leave to submit a very brief Surreply *in camera* as requested herein.

Respectfully submitted,

/s/ Elizabeth L. Yingling

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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel who have registered with the Court. All others were served a copy via U.S. mail.

/s/ Elizabeth L. Yingling

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